

PATENT Customer No. 22,852 Attorney Docket No. 08386.0003-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) \		
Thomas V. RESSEMANN et al.) Group Art Unit: 3763		
Application No.: 09/940,986)) Examiner: T. Stigell		
Filed: August 29, 2001))		
For: EMBOLI PROTECTION DEVICES AND RELATED METHODS OF USE) Confirmation No.: 6847)		

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

8TH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: October 14, 2005

Reg. No. 38,758

••		6	out m			
S Form PTO/SB/08: Substitute for form 1449A PTO			1 4 100° ET	Complete if Known		
INIE	DMATION D			Application Number	09/940,986	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			ALTERNATION OF	Filing Date	August 29, 2001	
			ON HEAD	First Named Inventor	Thomas V. RESSEMANN et al.	
				Art Unit	3763	
				Examiner Name	T. Stigell	
Sheet	1	of	1	Attorney Docket Number	08386.0003-01	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Cite	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines, Where	
No.'	Number-Kind Code ² (if known)		Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
	5,536,242	07-16-1996	Willard et al.		
	5,779,721	07-14-1998	Nash		
	5,879,361	03-09-1999	Nash		
	5,938,672	08-17-1999	Nash		
	5,997,558	12-07-1999	Nash		
	6,080,170	06-27-2000	Nash		
	6,524,323 B1	02-25-2003	Nash et al.		
	6,569,147 B1	05-27-2003	Evans et al.		
	6,652,546 B1	11-25-2003	Nash et al.		
	6,827,701 B2	12-07-2004	MacMahon et al.		
	6,830,577 B2	12-14-2004	Nash et al.		
	6,843,797 B2	01-18-2005	Nash et al.		
	6,905,505 B2	06-14-2005	Nash et al.		
	6,936,056 B2	08-30-2005	Nash et al.		
	2003/0069549 A1	04-10-2003	MacMahon et al.		
	2004/0193099 A1	09-30-2004	MacMahon et al.		
	2004/0260239 A1	12-23-2004	Kusleika		
	Cite No.1	Cite No.1 Number-Kind Code ² (if known) 5,536,242 5,779,721 5,879,361 5,938,672 5,997,558 6,080,170 6,524,323 B1 6,569,147 B1 6,652,546 B1 6,827,701 B2 6,830,577 B2 6,843,797 B2 6,905,505 B2 6,936,056 B2 2003/0069549 A1 2004/0193099 A1	Cite No.1 Document Number Issue or Publication Date MM-DD-YYYY 5,536,242 07-16-1996 5,779,721 07-14-1998 5,879,361 03-09-1999 5,938,672 08-17-1999 5,997,558 12-07-1999 6,080,170 06-27-2000 6,524,323 B1 02-25-2003 6,652,546 B1 11-25-2003 6,827,701 B2 12-07-2004 6,830,577 B2 12-14-2004 6,905,505 B2 06-14-2005 6,936,056 B2 08-30-2005 2003/0069549 A1 04-10-2003 2004/0193099 A1 09-30-2004	Cite No.¹ Document Number Number Issue or Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document 5,536,242 07-16-1996 Willard et al. 5,779,721 07-14-1998 Nash 5,879,361 03-09-1999 Nash 5,938,672 08-17-1999 Nash 6,080,170 06-27-2000 Nash 6,524,323 B1 02-25-2003 Nash et al. 6,569,147 B1 05-27-2003 Evans et al. 6,652,546 B1 11-25-2003 Nash et al. 6,827,701 B2 12-07-2004 MacMahon et al. 6,830,577 B2 12-14-2004 Nash et al. 6,905,505 B2 06-14-2005 Nash et al. 6,936,056 B2 08-30-2005 Nash et al. 2003/0069549 A1 04-10-2003 MacMahon et al. 2004/0193099 A1 09-30-2004 MacMahon et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶	
-				

Examiner	Date	
Signature	Considered	